

REMARKS

The Office action mailed June 6, 2005 has been received and reviewed. Claims 1 through 6, 30 through 33, and 35 through 38 were acknowledged as pending, but also as rejected. Pending claims 40 through 50 (presented in the amendment of November 11, 2004, and amended in the amendment of February 16, 2005), however, were not acknowledged as pending and were not rejected or allowed. Clarification in this regard is respectfully requested. Reconsideration of the rejected claims is also sought.

Besides clarification with respect to claims 40-50, applicants also respectfully request that the materials identified in the Supplemental Information Disclosure Statement Express Mailed June 3, 2005, be acknowledged and made of record.

Also, submitted herewith is another Supplemental Information Disclosure Statement bringing to the attention of the Office materials cited (in opposition) against a European Patent Office counterpart application.

Turning to the specifics of the Office action, claims 1 through 6, 30 through 33, and 35 through 38 were rejected since, the "ODP issue need[ed] to be address[ed] before these claims can be in condition for allowance." (Office Action, p. 2). Specifically, the obviousness-type double patenting issues have been analyzed for this patent application, and the claims were found to be unpatentable over U.S. Patent 6,033,908, U.S. Patent 6,306,652, U.S.S.N. 10/125,751, U.S.S.N. 10/219,414, and U.S.S.N. 10/618,256. According to applicants' records, a terminal disclaimer for U.S. Patent 6,306,652 was already submitted to the Office on January 28, 2004. Clarification is requested as to whether or not that terminal disclaimer was received. Submitted herewith are the remaining requested terminal disclaimers.

Serial No. 10/038,271

The application should now be in condition for allowance. If questions remain after consideration of the foregoing, however, the Office is kindly requested to contact applicants' attorney at the address or telephone number given herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Allen C. Turner', with a stylized flourish at the end.

Allen C. Turner

Registration No. 33,041

Attorney for Applicants

TRASKBRITT, P.C.

P.O. Box 2550

Salt Lake City, Utah 84110-2550

Telephone: 801-532-1922

Date: August 10, 2005